

Message

From: McGill, Thomas [McGill.Thomas@epa.gov]
Sent: 8/2/2017 12:28:26 PM
To: Mancusi-Ungaro, Philip [Mancusi-Ungaro.Philip@epa.gov]; Able, Tony [Able.Tony@epa.gov]
Subject: FW: call with Florida tomorrow (Aug 2) @ 3:00 re: 404 assumption
Attachments: JUSTICE-_3513048-v5-DSL_R-F_Assumption_Crosswalk_Using_EPA_s_2nd_Form.docx

I spoke with Kathy Hurld late yesterday. I asked her whether she had records on our review of FDEP's attempts at assumption in the 1990s, and she said she had some records and would follow-up when she returned from leave. She did talk about a cross-walk with applicable 404 regs that HQ shared with Oregon with respect to their recent exploration of assumption (see attached) which we can offer to share with FDEP today. She suggested including Mike McDavit and Russ Kaiser on the invitation, so I invited them.

-----Original Message-----

From: Hurld, Kathy
Sent: Wednesday, August 2, 2017 1:05 AM
To: McGill, Thomas <McGill.Thomas@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>; McDavit, Michael W. <McDavit.Michael@epa.gov>
Subject: Re: call with Florida tomorrow (Aug 2) @ 3:00 re: 404 assumption

Tom as promised, here is the piece that we put together for OR's effort to do a crosswalk on the required authorities and program requirements with the state program and authorities.

I deleted a lot of what OR had as it was an internal document. But I left some to give FL or you a sense of how they were pulling this together. The comments were a mix of 1) ideas of how they could address a gap; 2) legal interpretations, 3) their description and justification of how their reg or statute was consistent.

I hope this helps. Andre Salzar was working with OR on this. Well in a review capacity.

- Kathy

From: McGill, Thomas
Sent: Tuesday, August 1, 2017 6:02 PM
To: Kaiser, Russell; McDavit, Michael W.
Cc: Hurld, Kathy
Subject: call with Florida tomorrow (Aug 2) @ 3:00 re: 404 assumption

Mike,

I heard from Florida DEP shortly after the call we had earlier today. They would like to have a call tomorrow at 3:00 to discuss some of their questions, and although Kathy is not available she did suggest that there would be value in both you and Russ participating if you are available. The folks I spoke with included Justin Green, FDEP's Director of their Water Resources Division, and Megan Seward, a Regulatory Advisor to one of the Deputies to the FDEP Secretary. Tony, Phil Mancusi-Ungaro will be participating in the call, and once I receive the invitation from Florida I'll forward that to both of you.

If you or Russ have any questions or would like to discuss please feel free to call me at 404-562-9243.

Tom